MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2021/2022

UHL2612 – HUMAN RIGHTS LAW

(All sections / Groups)

1 DECEMBER 2021
Reading Time: 9.15am – 9.30am
(15 Minutes)
Answering Time: 9.30am – 12.30pm
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes ONLY in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.

2. This Question paper consists of 2 pages with 5 questions only.

3. Answer **TWO** questions in **PART A** and **ALL** questions in **PART B**. All questions carry equal marks and the distribution of the marks for each question is given.

4. Students are allowed to refer to **any** relevant statutes, charters and conventions.

5. Please write all your answers in the Answer Booklet provided.

PART A: ANSWER TWO (2) QUESTIONS ONLY

QUESTION 1

> PETALING JAYA: Lorry driver Umar Faruq Abdullah died today at the south Klang district police headquarters (IPD), the third case of custodial death reported in the space of 15 days.
>
> According to police, the 36-year-old jumped to his death from the second floor of the IPD where he was being questioned, with an initial report stating that he passed away due to "severe facial injuries".
>
> He was brought in yesterday after allegedly stealing a gas cylinder and was remanded for four days to assist in the investigation.
>
> His death comes in the wake of security guard S Sivabalan's death at the Gombak police station on May 20. A week later, on May 27, Surendran Shanker died at the Kluang hospital after being held at the Simpang Renggam prison in Johor.
>
> [Jason Thomas, '*Lorry driver dies in police custody'*, Free Malaysia Today, 3 June 2021]

Analyse the above by making reference to international law and Malaysian Federal Constitution and discuss whether the rights are duly protected. Support your answer with relevant authorities.

(Total: 25 marks)

QUESTION 2

Malaysia has yet to ratify the International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR). Identify the reasons for such non-ratification and discuss whether it is possible for Malaysia to ratify the twin Covenants.

(Total: 25 marks)

QUESTION 3

The Malaysian government ratified Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1995 in order to ensure the rights of women in Malaysia are guaranteed due to criticisms made by the feminists.

Analyse whether the rights of women in the Malaysian workforce are well safeguarded after the ratification of CEDAW by making reference to relevant examples and case laws.

(Total: 25 marks)

Continued…

PART B: ANSWER ALL QUESTIONS

QUESTION 4

For 100 years, the people in the City of Pandan have been living in peace and harmony under the rule of Sultan Pandani and his ancestors. The people highly respect and understand each other even though they come from various cultural and religious lifestyles. However, things began to change after the passing away of Sultan Pandani. Sultan Pandani's old enemy, Pindan, started to spread hatred among the people. Pindan and his followers began to discriminate and dehumanize the Muslim people. Pindan instructed his followers to continuously attack the mosque where the Muslims often perform their prayer. Pindan further prohibited every Muslim woman from conceiving any child or else, both the mother and the child would be murdered. This went on for 10 years and had claimed 987 lives. Majority of the State Parties to the United Nations decided to have Pindan prosecuted under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.

As the prosecutor in charge, discuss whether Pindan could be prosecuted and whether the horrendous actions committed by Pindan and his followers have fulfilled the elements of genocide under the said Convention.

(Total: 25 marks)

QUESTION 5

> It is certainly unfair to anyone who wants to die to continue to live in pain and agony until the last breath. There is no reason to want a long life of suffering. In certain developed countries, medically-assisted suicide is legal under certain strict criteria.
>
> [Ng Shu Tsung, '*Have rights to medically assisted suicide'*, Malaysia Kini, 1 February 2020]

Analyse the above in light of the Universalist and Relativist debate.

(Total: 25 marks)

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